

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-10 are pending in the present application. Claims 1-10 are amended by the present amendment. It is believed no new matter is added.

In the outstanding Office Action, the drawings were objected to; the abstract was objected to; the claims were objected to; Claims 2-7 were rejected under 35 U.S.C. § 112, second paragraph; Claims 1 and 5 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 4,938,153 to Maes; Claims 2-4 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maes in view of United States Patent No. 1,933,210 to Curtis; and Claims 6 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maes in view of United States Patent No. 4,566,741 to Eriksson et al. (herein "Eriksson").

Regarding the objection to the drawings, a replacement Figure 1 is enclosed which identifies the horizontal axis about which the support fork can be rotated, as requested in the outstanding Office Action. Replacement Figure 1 finds support in the originally filed specification at least at page 6, lines 9-11. Accordingly, it is respectfully requested that objection be withdrawn.

Further, regarding the objection to the abstract, the abstract is amended to remove legal phraseology and to better comply with U.S. patent practice, as suggested in the outstanding Office Action. Accordingly, it is respectfully requested that objection also be withdrawn.

In addition, regarding the objection to the claims, Claims 1-10 are amended to replace "Work table" with "A work table" or "The work table," as suggested in the outstanding Office Action. Further, Claims 6 and 10 are amended to be in single dependent form, so that

no multiple dependent claim depends on another multiple dependent claim. Accordingly, it is respectfully requested that objection also be withdrawn.

In addition, regarding the rejection of Claims 2-7 under 35 U.S.C. § 112, second paragraph, Claim 1 is amended to replace the close ended transitional phrase "consisting of" with the term "comprising". Accordingly, it is respectfully requested that rejection be withdrawn.

In addition, Claims 1 and 5 were rejected under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 4,938,153 to Maes. That rejection is respectfully traversed.

Amended Claim 1 is directed to a work table including a vertical central column fastened to a base on a vertical central axis of the base. The work table also includes a height-adjustable and tilt-adjustable work surface, which is fastened to a support element. A joint seating device is provided on an upper end of the vertical central column, and a swivel arm is arranged to pivot around a horizontal axis of the joint seating device. The swivel arm contains another rotary joint, about whose horizontal axis the support element and the work surface are arranged in a pivoting manner.

In a non-limiting example, Figures 1 and 2 illustrate a work table with a vertical central column 5 fastened to the center of base 6 (e.g., on a vertical central axis of base 6). In this example, the work table also includes an adjustable work surface 3, which is fastened to support element 9. A joint seating device 7 is attached to the top of vertical central column 5, and a swivel arm 4, pivots around a horizontal axis of the joint seating device 7. The support element 9 and the work surface 3 also pivot horizontally around a rotary joint 19.

This arrangement advantageously allows a user to work comfortably in a seated or reclined position using a tilted work surface, or in a standing position with a flat surface, as illustrated in Figures 3-5.

Applicants respectfully submit that Maes does not teach or suggest a vertical central column fastened to a base on a vertical central axis of the base. Maes discloses a pair of parallel telescoping legs 17 and 22, which connect to the ends of the legs 16 (i.e., base).¹ Hence, the vertical columns of Maes are connected to an end of the base and are not connected to a center of the base, or a vertical central axis of the base, as in the claimed structure. Thus, applicants respectfully submit that Maes does not teach or suggest a work table including “a vertical central column fastened to a base on a vertical central axis of the base,” as in amended Claim 1.

Further, applicants respectfully submit that Maes does not teach or suggest a swivel arm. Instead, Maes discloses a pair of parallel support arms 37², with a pair of tubular table arms 47.³ Thus, Maes discloses a pair of support arms, which is different than a swivel arm, as in the present invention. Accordingly, applicants respectfully submit that Maes does not teach or suggest a work table including “a swivel arm,” as in amended Claim 1.

Accordingly, it is respectfully submitted that independent Claim 1 and the claims depending therefrom are allowable.

Claims 2-4 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maes in view of Curtis, and Claims 6 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Maes in view of Eriksson. Those rejections are respectfully traversed.

Claims 2-4, 6, and 7 depend upon independent Claim 1, which as discussed above is believed to be allowable. Further, it is respectfully submitted Curtis and Eriksson also do not teach or suggest the features recited in Claim 1. Accordingly, it is respectfully requested those rejections also be withdrawn.

¹ Maes at column 3, lines 50-53, and Figure 1.

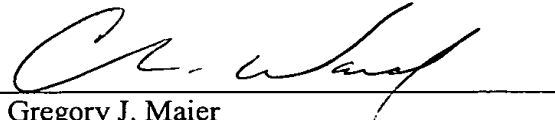
² Maes at column 4, lines 60-61.

³ Maes at column 5, line 53.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/03)

Christopher D. Ward
Registration No. 41,367

GJM:CDW:ZSS:dnf
I:\ATTY\ZS\21'S\218\218839US\218839 AMENDMENT.DOC